

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

3:13-CR-000271-KI

v.

**COREY WYATT and
KIMBERLY SCOTT WYATT,**

**PRELIMINARY ORDER OF
FORFEITURE AND FINAL ORDER OF
FORFEITURE AS TO DEFENDANT
COREY WYATT**

Defendant.

Defendant Corey Wyatt entered into a plea agreement and pleaded guilty to Counts 3 and 4 of the Indictment.

In the forfeiture allegation of the Indictment in the above case, the United States sought forfeiture of property of defendant Corey Wyatt pursuant to 18 U.S.C. § 924(d), as a firearm knowingly disposed to a person who had been convicted of a crime punishable by imprisonment for a term exceeding one year, and aiding and abetting the same, the violations charged in Count 3.

Accordingly, it is ORDERED:

1. Based upon defendant Corey Wyatt's plea of guilty to Count 3 of the Indictment, and pursuant to Rule 32.2 (b)(2)of the Federal Rules of Criminal Procedure and 18 U.S.C. § 924(d); the United States is authorized to seize the following property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n):

Hi-Point, Model C9, 9mm semi-automatic handgun, serial number P1577584.

2. The forfeited property is to be held by the United States Marshal in its secure custody or, as may be necessary, the United States Marshal may appoint a substitute custodian, and is authorized to maintain and otherwise provide for the care of the property during the pendency of this action.

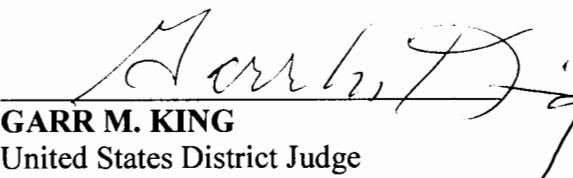
3. Pursuant to 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6)of the Federal Rules of Criminal Procedure, the United States shall publish on the official government internet site, www.forfeiture.gov, notice of this order, notice of Marshal's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property. The petition must be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest

in property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. Upon entry of this Order, the United States is authorized to conduct discovery in identifying, locating, or disposing of the asset in accordance with Federal Rule of Criminal Procedure 32.2(b)(3).

5. Following the Court's disposition of all petitions filed, or if no such petitions are filed within the time prescribed by law, upon proof of publication and proof of notice to any persons known to have alleged an interest in the property, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee as provided in Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure.

IT IS SO ORDERED this 18 day of December, 2013.


GARR M. KING
United States District Judge

Submitted by:

S. AMANDA MARSHALL, OSB #95347
United States Attorney

LESLIE J. WESTPHAL, OSB #83344
Assistant United States Attorney


JANE SHOEMAKER, CASB #125815
HANNAH HORSLEY
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